

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

MIKE WHITTINGTON

PLAINTIFF

VS.

CIVIL ACTION NO. 5:13CV245TSL-JMR

PIKE COUNTY JAIL

DEFENDANT

ORDER

This cause is before the court on the report and recommendation of Magistrate Judge John M. Roper entered on February 10, 2014, recommending that the complaint in this case be dismissed for failure to state a claim. Plaintiff Mike Whittington has filed an objection. Having reviewed the report and recommendation and plaintiff's objection, the court concludes that the report and recommendation is well taken and should be adopted to the extent that it recommends dismissal for failure to state a claim.¹

Based on the foregoing, it is ordered that the report and recommendation of United States Magistrate John M. Roper entered on February 10, 2014, be, and the same is hereby, adopted as the finding of this court to the extent as set forth above.

A separate judgment will be entered in accordance with Rule 58 of the Federal Rules of Civil Procedure.

¹ Although the first sentence of the report and recommendation mentions dismissal for failure to prosecute, the body of the report and recommendation contains no analysis related to dismissal on this basis.

SO ORDERED this 6th day of March, 2014.

/s/Tom S. Lee
UNITED STATES DISTRICT JUDGE